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**FILED**

JUN 29 2015

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SEALED BY ORDER  
OF THE COURT

IN RE: APPLICATION FOR TELEPHONE	)	No. CR 15-90304 MISC LHK
INFORMATION NEEDED FOR A	)	RESPONSE TO COURT'S REQUEST FOR
CRIMINAL INVESTIGATION	)	SUPPLEMENTAL FILINGS IN SUPPORT OF
	)	UNITED STATES' APPEAL OF DENIAL OF
	)	APPLICATION FOR TELEPHONE
	)	INFORMATION NEEDED FOR A CRIMINAL
	)	INVESTIGATION
	)	<b>UNDER SEAL</b>

On June 25, 2015, the Court requested supplemental filings from the government regarding three topics: (1) the most recent privacy policies for each Telephone Service Provider listed in the government's application; (2) a declaration explaining whether the government would need to file a new application should a Target Device be transferred to a new carrier pursuant to local number portability; and (3) a declaration explaining whether an application for a user's historical cell site location information ("CSLI") made to a specific provider could result in the government obtaining CSLI collected by a provider other than the one to whom the specific request has been made.

Under Exhibit A of this under seal filing, please find the privacy policies for Verizon Wireless and AT&T Wireless. These privacy policies were both accessed on June 26, 2015 at the following

[Sealed per 28]; Unsealed per 33

29

1 URLs: [http://www.att.com/Common/about\\_us/privacy\\_policy/print\\_policy.html](http://www.att.com/Common/about_us/privacy_policy/print_policy.html) and  
2 <http://www.verizon.com/about/privacy/policy/>.

3 In the application that is the subject of this appeal, the government sought information related to  
4 multiple Target Devices. These Target Devices were subscribed to one of two service providers –  
5 Verizon Wireless and AT&T Wireless. As is more fully explained in the Declaration of AUSA Jeff  
6 Schenk, attached as Exhibit B, the government's application and order in this matter, if signed, would  
7 likely entitle it to information from carriers other than Verizon Wireless and AT&T Wireless, such as,  
8 for example, under the "porting" scenario. In fact, on page 3, line 8, of its application, the government  
9 identifies "any and all other telephone service providers" as potential sources of responsive materials to  
10 this application. If in its Order for Supplemental Filings, this Court is seeking the most recent privacy  
11 policies for each Telephone Service Provider listed in the government's application, rather than the  
12 privacy policies for each Telephone Service Provider for each of the Target Devices, that request is  
13 nearly without bound, essentially requiring the privacy policies for every service provider in the country.  
14 Therefore, if the Court, in fact, wants the privacy policies for any and all telephone service providers,  
15 the government requests additional time to comply with this request, assuming compliance is possible.

16 Under Exhibit B of this under seal filing, please find a declaration from AUSA Jeff Schenk  
17 explaining that whether the government needs to seek a new application for CSLI should a Target  
18 Device from an original application be transferred to a new carrier pursuant to local number portability  
19 depends on the specific language in the application and order. These applications are focused on a  
20 Target Device, not a target carrier. Therefore, porting a number should not affect the government's  
21 ability to obtain information. Having reviewed the application and order the government submitted to  
22 Magistrate Judge Lloyd in this case, AUSA Schenk believes that the government need not seek a new  
23 application for CSLI should a Target Device from the original application be transferred to a new carrier  
24 pursuant to local number portability.

25 //

26 //

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1 Also in his declaration, AUSA Schenk explains that, having spoken to several FBI special agents  
2 from the Cellular Analysis Survey Team, in general, an application for a user's historical CSLI made to  
3 a specific provider does not result in the government obtaining CSLI collected by a provider other than  
4 the one to whom the specific request has been made.

5 DATED: June 29, 2015

Respectfully submitted,

6  
7 MELINDA HAAG  
United States Attorney

8 /s/

9  
10 JEFFREY SCHENK  
Assistant United States Attorney

## EXHIBIT A

## **Verizon is Committed to Protecting Your Privacy**

Protecting our customers' privacy is an important priority at Verizon and we are committed to maintaining strong and meaningful privacy protections. The privacy of your information is a significant responsibility and we value the trust you place in us.

Our Privacy Policy is designed to inform you about the information we collect, how we use it, and your options regarding certain uses of this information. This policy also describes privacy rights you have under certain federal laws.

This policy applies to website visitors and Verizon customers in the United States. It applies across the Verizon family of companies and the products and services they provide. The Verizon family of companies includes the companies and joint ventures controlled by Verizon, including the Verizon telephone companies, Verizon Enterprise Solutions, Verizon Wireless, AOL, and Verizon Online. For Verizon Enterprise Solutions customers outside the United States, policies are set forth at <http://www.verizonenterprise.com/terms/>. Also, certain services offered to consumers as well as contracts between Verizon and its business customers (both U.S. and international) may contain additional privacy-related terms and conditions that are presented to you in other ways.

Additional privacy practices that apply to FiOS, Verizon Wireless, AOL and Verizon Vehicle services are also described in this policy. Supplemental privacy policies for AOL companies and the services they provide are described in the AOL privacy policy. In the event of a conflict between the Verizon privacy policy and the AOL privacy policy, the AOL policy will control when you are on an AOL site or using an AOL product or service.

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## **Information We Collect and How We Use It**

We collect and use information about you in the following ways:

### **Information Collected When You Communicate with Verizon:**

When you communicate with Verizon, we collect information from you that we use to deliver, provide, confirm, change, bill, monitor, maintain and repair your products and services. This information is also used to resolve issues with your order, with our products and services, or with your account. The information we collect may include your name, addresses, and other contact information; images you provide; the reason for the contact; and your driver's license number and Social Security Number and payment information. We use this information to establish and maintain your customer account and billing records (including establishing credit), provide services to you, authenticate you, and contact you about products and services that we offer.

When you contact us or we contact you, we may monitor or record that communication or keep a record of the transaction to help us train employees and better serve you.

### **Information Collected When You Use Verizon Products and Services:**

We collect information about your use of our products, services and sites. Information such as call records, websites visited, wireless location, app and feature usage, network traffic data, product and device-specific information and identifiers, service options you choose, mobile and device numbers, video streaming and video packages and usage, movie rental and purchase data, FiOS TV viewership, and other similar information may be used for billing purposes, to deliver and maintain products and services, or to help you with service-related issues or questions. In addition, this information may be used for purposes such as providing you with information about product or service enhancements, determining your eligibility for new products and services, and marketing to you. This information may also be used to manage and protect our networks, services and users from fraudulent, abusive, or unlawful uses; and help us improve our services, research and develop new products, and offer promotions and other services.

If you subscribe to Verizon Internet access services, we may automatically measure and monitor network performance and the performance of your Internet connection to improve your, or our, service levels and products. If you contact us for service support, we also may access information about your computer, wireless device or other device settings to provide customized technical support or to install specific app or services that you use or that are necessary to the app or services you use.

This type of information may be aggregated or anonymized for business and marketing uses by us or by third parties. For example, aggregate or anonymous data may be used to improve our services, measure and analyze the use of services and to help make services and advertising more relevant to customers.

When you establish an online account or register on our sites or apps, we may collect information about your user identification, password and secret questions and answers. We use this information to authenticate you when you sign in.

Verizon will obtain your affirmative consent before we use information we gathered in the course of providing broadband Internet access services about your visits over time to different non-Verizon websites to customize ads specifically to you. One such program is Verizon Selects.

Please note that Verizon is not responsible for information, content, app or services provided by others. Before you access, use, link to or download a service or app on your computer, television, wireless or other device, you should review the associated terms of service and privacy policy. Personal information you submit in those contexts may be read, collected or used by the service or app provider and others associated with these forums in a manner different from that described here.

#### **Information Provided to Us by Third Parties:**

When you purchase products or apply for service with us, we may obtain credit information about you from outside credit reporting agencies to help us with customer authentication and credit-related decisions. If you lease your residence, we may have information about how to reach your landlord and whether landlord permission is required to install our facilities.



Verizon obtains information from outside companies such as those that collect consumer information including demographic and interest data. Examples of this information include gender, age range, sports enthusiast, frequent diner or pet owner. We use this data and combine it with other information we have about you to help us predict your preferences and to direct marketing offers that might be more relevant to you.


When you use social media credentials to login to or otherwise interact with a Verizon site or offer, we may collect information about your social media profile, such as your interests, "likes" and friends list. We may use this information, for example, to personalize your Verizon experiences and marketing communications, to enhance our services and to better serve you. You can control this data sharing via options in your social media accounts.

We also obtain contact information and other marketing lead information from third parties, and may combine it with information we have to contact you or direct Verizon's marketing offers to you. Website visitors and others may provide us with your email address through "refer-a-friend" options or social networking platforms. We use these email addresses to send Verizon promotional marketing information.

#### **Information Collected on Verizon Websites and Apps:**

When you use Verizon websites and apps, information is collected about your device and your visit including browsing, searching and buying activity as you interact with our sites and apps; IP address; mobile telephone or device numbers; account information; web addresses of the sites you come from and go to next; and information about your connection, including your device's browser, operating system, platform type and Internet connection speed. We use this information for operational, performance measurement and other business purposes.

Verizon and its vendors also use this information to help us deliver more relevant Verizon marketing messages on our websites, on non-Verizon websites, by our representatives, via email, or via other Verizon services or devices. In addition, this information is used to tailor the content you see, manage the frequency with which you see an advertisement, tailor advertisements to better match your interests, and understand the effectiveness of our advertising. We also may use this information to assess the effectiveness of our sites and to help you should you request help with navigation problems on these sites. Additional information about the information collected on AOL websites is described in the [AOL privacy policy](#).

Certain Verizon vendors may place and read cookies on our sites to help us deliver Verizon marketing messages on our sites and on non-Verizon sites. We require that these vendors provide consumers with the ability to opt out of their use of information for these purposes. In accordance with industry self-regulatory principles, you should see this icon  in or around Verizon advertisements that are delivered on other sites using information collected on our sites. Clicking on this icon will provide information about the companies and data practices that were used to deliver the ad and will also describe how you may opt out of these advertising programs. Additional information on the choices available to you for the use of your information for advertising purposes can be found in the "How to Limit the Sharing and Use of Your Information" section below.

### Additional information about "cookies" and related technologies

When you register on our sites, we may assign an anonymous, unique identifier. This may allow select advertising entities to use information they have about your web browsing on a desktop computer to deliver marketing messages to mobile devices on our network. We do not share any information that identifies you personally outside of Verizon as part of this program. You have a choice about whether to participate, and you can visit our Relevant Mobile Advertising page to learn more or advise us of your choice.

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### **Information You Provide:**

When you contact us online or by other means for information about products and services or when you enter a Verizon-sponsored or affiliated contest, sweepstakes or similar promotion, we will respond to your request and may use the information you supply to provide you with additional information about other Verizon services, programs or offerings either at that time or in the future. If you enter a promotion, your information may be disclosed as part of the program's administration, such as in connection with the publication of winners, prize fulfillment, and as required by law or permitted by the promotion's official rules. Information you provide on our websites about your preferred location and other preferences may be used to provide you with more relevant product recommendations, services and special offers.

If you provide information to us in the context of an event that Verizon sponsors with another organization, such as a contest or sweepstakes, or if you visit a co-sponsored site or use a co-sponsored service, you also may be providing information to the co-sponsor. You should refer to that co-sponsor's privacy policy for information about its practices which may differ from Verizon's practices.

We also collect information from you when you participate in surveys or provide other feedback to us regarding our products or services, when you register to receive news or public policy updates, or when you apply for a job with or a grant from Verizon. We use this information only for the purpose for which you provide it.

Verizon may send you emails that communicate information about your account or about products, services, marketing offers, or promotions that may be of interest to you. When you open a Verizon email or click on links within these emails, we may collect and retain information to provide you with future communications that may be more interesting to you. Please note that Verizon will not ask you to send us, via email, sensitive personal or account information.

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### **Additional Information for Wireless Customers**

Verizon Wireless inserts a unique identifier in certain web traffic from your mobile device. The identifier is used to deliver ads to your mobile device (through both the Relevant Mobile Advertising and Selects advertising programs) and to deliver other services. If you opt out of the



Relevant Mobile Advertising program or if you activate certain types of lines that are not eligible to participate in our advertising programs, Verizon Wireless will stop inserting this identifier. The identifier will continue to appear for a short period of time while we are updating our systems. We do not share any information that identifies you personally outside of Verizon as part of the Relevant Mobile Advertising and Selects advertising programs and you have a choice about whether to participate in them.

Verizon Wireless collects and uses mobile device location data for a variety of purposes, including to provide our mobile voice and data services, emergency services, and our and third-party location-based apps and services such as navigation, weather, mapping and child safety apps or tools. Verizon apps that use location information provide choices about the use of this information.

Many types of wireless apps and services use mobile device location data, including apps provided by other companies and wireless device operating systems. When you are considering new apps or services, you should carefully review the location-based services' or app providers' privacy policies to learn how they collect and use your information.

Verizon Wireless may use mobile usage information and consumer information for certain business and marketing reports. Mobile usage information includes the addresses of websites you visit when you use our wireless services. These data strings (or URLs) may include search terms you have used. Mobile usage information also includes the location of your device and your use of apps and features. Consumer information includes information about your use of Verizon products and services (such as data and calling features, device type, and amount of use) as well as demographic and interest categories provided to us by other companies (such as gender, age range, sports fan, frequent diner, or pet owner). We may combine this information in a manner that does not personally identify you and use it to prepare aggregated business and marketing reports that we may use ourselves or share with others for their use. We may also share location information with other companies in a way that does not personally identify you so that they may produce business and marketing reports. You have a choice about whether your information is included in these reports.

Verizon Wireless does not publish directories of our customers' wireless phone numbers, and we do not provide or make them available to third parties for listing in directories unless you request that we do so.

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## **Information About the Cable Act**

To the extent that Section 631 of the Communications Act of 1934, as amended (the "Cable Act") applies to services you purchase, it entitles you to know about the personally identifiable information a cable service provider collects. This includes the nature of the use and disclosure of this information and to whom it may be disclosed, how long personally identifiable information is maintained, and how subscribers may access it. In addition, the Cable Act imposes limits on the collection and disclosure of personal information and gives subscribers the ability to

enforce their privacy rights. (Personally identifiable information does not include aggregate data that does not identify a particular person).

The Cable Act allows a provider to use its cable system to collect personally identifiable information necessary to render a cable service or other services provided to subscribers and to detect and prevent unauthorized access to services. Additional personally identifiable information may be collected with the subscriber's prior consent. Personally identifiable information may be used or disclosed without the subscriber's consent where necessary to render services, and to conduct legitimate business activities related to services provided.

We may be required by law to disclose personally identifiable information to a governmental entity to comply with valid legal process, such as warrants, court orders or subpoenas, but we will not disclose records revealing your selection of video programming unless we receive a court order indicating that the governmental entity has made a specified showing of relevance and you were afforded an opportunity to contest the order. We may be required to disclose personally identifiable information (including your selection of video programming) to a non-governmental entity to comply with a court order, after you have been provided notice.

If you believe that your privacy rights have been violated, please contact us at [privacyoffice@verizon.com](mailto:privacyoffice@verizon.com) and we will work with you to address your concerns. If you believe that you have been aggrieved as a result of a violation of the Cable Act, you may enforce the limitations imposed by the Cable Act through a civil action in a United States district court seeking damages, attorney's fees, and litigation costs. Other rights and remedies may also be available to you under federal or other applicable laws.

The Cable Act permits the disclosure of customer names and addresses as long as a subscriber has been provided with the opportunity to prohibit or limit this disclosure and the disclosure does not reveal, directly or indirectly, the subscriber's viewing or other uses of the cable or other services provided. If we intend to share data in this way, we will provide you with the opportunity to prohibit or limit this type of sharing.

### **Relevant TV Advertising**

Verizon's Relevant TV Advertising program helps advertisers reach FiOS television customers with advertisements that may be more relevant to their interests. We do not share any information that identifies you personally outside of Verizon as part of this program. The ads may appear on a variety of platforms where FiOS television customers can access video content. We help advertisers deliver ads to audiences based on demographic and interest information (such as gender, family size, and luxury car owner) we obtain from other companies, your address and certain information about your Verizon products and services (such as service packages purchased, video on-demand purchases, and program viewing data). You have a choice about receiving this type of advertising and you can opt out [online](#).

### **Additional Information for Verizon Vehicle Service**

The Verizon Vehicle membership program includes vehicle diagnostics, stolen vehicle assistance, one-button emergency calling, automated alerts to emergency personnel when a potential accident is detected, and roadside assistance services as well as possible discounts on travel, automotive, car rental and other offers. When installed in your car, the Verizon Vehicle device collects information about your vehicle's performance and maintenance characteristics, as well as your vehicle's location and use (including trip distances, acceleration, deceleration, turning, speed, and revolutions per minute). In addition to other uses described in this policy, this information will be used to develop and provide a driving tips feature planned for introduction in late 2015. This feature will rate your overall driving and suggest ways in which driving may be improved.

Information that identifies your vehicle and other personal information may be shared as described in the information sharing sections of this policy as well as when it is necessary to provide various Verizon Vehicle service features, such as alerting emergency personnel of your location if a crash is detected, helping authorities locate your vehicle if you report it stolen or helping roadside assistance locate your vehicle.

### **Additional Information for AOL Services**

AOL products and services include online services such as AOL.com, The Huffington Post, TechCrunch, and Mapquest; AOL Mail and AIM; and advertising services, including ONE by AOL and Advertising.com. Many of AOL's free services are supported by the ads displayed on those services. AOL also provides a variety of online advertising services to other companies that place ads on our services and elsewhere.

The AOL Privacy Policy provides additional information about the collection and use of information from any devices you use to access or connect to AOL branded websites, services and software as well as many websites owned by or affiliated with AOL and operating under different names. It also describes the collection and use of information by AOL Advertising and your related choices. In the event of a conflict between this Privacy Policy and the AOL Privacy Policy, the AOL Privacy Policy will control when you are on an AOL site or using an AOL product or service.

### **Information We Share**

#### **Information Shared Within the Verizon Family of Companies:**

Verizon shares customer information within our family of companies for a variety of purposes, including, for example, providing you with the latest information about our products and services and offering you our latest promotions. You can limit the sharing of certain types of customer information, known as Customer Proprietary Network Information, or CPNI, within the Verizon family of companies for marketing services to you other than your current services.

Customer Proprietary Network Information (CPNI) is information that relates to the type, quantity, destination, technical configuration, location, amount of use, and related billing information of your telecommunications or interconnected Voice over Internet Protocol (VoIP) services. Federal law governs our use and sharing of CPNI.

#### **Information Shared Outside the Verizon Family of Companies:**

Except as explained in this Privacy Policy, in privacy policies for specific services, or in agreements with our customers, Verizon does not sell, license or share information that individually identifies our customers, people using our networks, or website visitors with others outside the Verizon family of companies that are not performing work on Verizon's behalf without the consent of the person whose information will be shared.

Verizon uses vendors and partners for a variety of business purposes such as to help us offer, provide, repair and bill for services we provide. We share information with those vendors and partners when it is necessary for them to perform work on our behalf. For example, we may provide your credit card information and billing address to our payment processing company solely for the purpose of processing payment for a transaction you have requested. We require that these vendors and partners protect the customer information we provide to them and limit their use of Verizon customer data to the purposes for which it was provided. We do not permit these types of vendors and partners to use this information for their own marketing purposes.

As described in more detail in other sections of this policy, Verizon also may share certain information with outside companies-, for example, to assist with the delivery of advertising campaigns, or preparing and sharing aggregate reports. This information does not identify Verizon customers individually.

Verizon provides the names, addresses and telephone numbers of wireline telephone customers to directory publishers and directory assistance services unless a non-published or non-listed phone number has been requested.

We may disclose information that individually identifies our customers or identifies customer devices in certain circumstances, such as:

- to comply with valid legal process including subpoenas, court orders or search warrants, and as otherwise authorized by law;
- in cases involving danger of death or serious physical injury to any person or other emergencies;
- to protect our rights or property, or the safety of our customers or employees;
- to protect against fraudulent, malicious, abusive, unauthorized or unlawful use of or subscription to our products and services and to protect our network, services, devices and users from such use;
- to advance or defend against complaints or legal claims in court, administrative proceedings and elsewhere;
- to credit bureaus or collection agencies to determine credit risk, for reporting purposes or to obtain payment for Verizon-billed products and services;

- to a third-party that you have authorized to verify your account information;
- to outside auditors and regulators; or
- with your consent.


When you purchase services offered jointly by Verizon and one of our partners, customer information may be received by both Verizon and our partner that is providing your service. For these jointly offered services, you should also review the partner company's privacy policy which may include practices that are different from the practices described here.

If Verizon enters into a merger, acquisition or sale of all or a portion of its assets or business, customer information will also be transferred as part of or in connection with the transaction.

### **Information Provided to or Used by Third-Party Advertising Entities or Social Networks**

You may see third-party advertisements on some Verizon websites, services, apps and devices. Some advertisements are chosen by companies that place advertisements on behalf of other third-party advertisers. These companies, often called ad servers, ad networks, or technology platforms, may place and access cookies on your device to collect information about your visit on our websites. The information they collect from our sites is in a form that does not identify you personally. This information may be combined with similar data obtained from other websites and apps to help advertisers better reach audiences they wish to target. Targeting may be accomplished by tailoring advertising to interests that they infer from your interactions on our sites and your interaction with other sites and services where these companies also are present. AOL also provides these types of services to advertisers; more information is described in the [AOL privacy policy](#).

If you choose to interact with specific advertisers who advertise on our apps sites or services, the information you provide to them is subject to the conditions of their specific privacy policies.

Advertising that is customized based on predictions generated from your visits over time and across different websites is sometimes called "online behavioral" or "interest-based" advertising. In accordance with [industry self-regulatory principles](#), we require that companies disclose when they are using online behavioral advertising programs to deliver third-party ads on our sites or collecting information about your visit to our sites for these purposes and give consumers the ability to opt out of this use of their information. You will see an icon  in or around third-party advertisements that are delivered on our sites using behavioral advertising programs. Clicking on this icon will provide additional information about the companies and data practices that were used to deliver the ad as well as information on how you may opt out of these advertising programs. Additional information about your options regarding the use of your information for advertising purposes can be found [below](#). Additional information about online behavioral advertising can be found [here](#). Please note that Verizon does not have control over or access to information contained in the cookies that are set on your computer by ad servers, ad networks or third-party advertisers.

[Additional information about "cookies" and related technologies](#)



We also may permit advertisers on our sites, apps and services to place ads based on certain information we have about your Verizon products and services as well as geographic and demographic data. Information used for this purpose does not identify you individually.

Verizon websites and services may include social network or other third-party plug-ins and widgets that may provide information to their associated social networks or third-parties about your interactions with Verizon pages you visit or services you use, even if you do not click on or otherwise interact with the plug-in or widget. More information is available [here](#).

### **Relevant Online and Mobile Advertising Programs**

The Verizon Online Relevant Advertising and the Verizon Wireless Relevant Mobile Advertising programs help advertisers better reach our Internet access customers using the postal address we have for you; certain information about your Verizon products and services-- such as device type and broadband service features; and demographic and interest information provided to us by other companies-- such as gender, age-range, sports fan, frequent diner or pet owner. This information is used to predict whether you fit within an audience an advertiser is trying to reach. The Verizon Wireless program uses a unique identifier that is inserted into certain web traffic to deliver ads to your mobile device. In addition, using a different, unique identifier we create when you register on our websites, we mark your account in a way that allows select advertisers to use information they have about your visits to websites on a desktop computer to deliver marketing messages to mobile devices on our network. We do not share any information that identifies you personally outside of Verizon as part of these programs. You have a choice about participating in the separate Verizon and Verizon Wireless programs.

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### **How to Limit the Sharing and Use of Your Information**

You have choices about how Verizon shares and uses information.

#### **Customer Proprietary Network Information (CPNI):**

Customers of Verizon telecommunications and VoIP services may choose to limit the use and sharing of CPNI for Verizon's marketing services outside of services you currently have. Notice about our use and sharing of CPNI and the choices you have may be provided on your monthly bill, over the phone, via text, in contracts or in other ways.

Verizon Wireline consumers and certain business customers may opt out by calling 1-866-483-9700. Verizon Wireless consumer and certain business customers may call 1-800-333-9956. Other customers may decline to provide or withdraw CPNI consent by following the instructions in the Verizon notice seeking consent. For additional information, you can read examples of common consumer CPNI notices for Verizon Wireline and Verizon Wireless.

#### **Telemarketing:**

Federal "Do Not Call" laws allow you to place your phone numbers on the National Do Not Call Registry to prevent telemarketing calls to those numbers. If you would like to add your numbers to this list, you may do so by calling 1-888-382-1222, or by visiting [www.donotcall.gov](http://www.donotcall.gov).


You should be aware that even if you add your number(s) to the federal or a state Do Not Call list, most telemarketing laws allow companies to contact their own customers. If at any time you would like to be removed from Verizon's residential telemarketing list, please let us know by contacting a Verizon customer service representative at 1-800-VERIZON. Verizon Wireless also maintains a Do Not Call list. If you would like to be removed from the Verizon Wireless telemarketing list, please let us know by contacting a Verizon Wireless customer service representative at 1-800-922-0204. Please allow 30 days for your telephone number to be removed from any sales programs that are currently underway.

#### **Marketing Email, Text Messages, Postal Mail and Door-to-Door Calls:**

Marketing emails you receive from Verizon, include an unsubscribe instruction (usually found at the bottom of the email) that you may use to opt out of receiving future marketing-related emails.

You may opt out of receiving marketing-related postal mailings or prevent door-to-door marketing solicitations from Verizon by calling 1-800-VERIZON. You may opt out of receiving marketing-related postal mailing or prevent text message marketing by Verizon Wireless by calling 1-800-922-0204. You may opt out of receiving marketing-related postal mailing or prevent text message marketing by Verizon Vehicle service by calling 1-800-711-5800. Text message solicitations from Verizon also contain an "unsubscribe" feature that you can use to prevent future marketing text messages from us. Please note that Verizon may use bulk mail service for some marketing mailings. These services deliver offers to all homes in a neighborhood or zip code. This type of mailing will continue even if you opt out of receiving marketing-related postal mailings from Verizon.

#### **Information Used for Online Advertising:**

You have choices about whether certain information collected on websites, including Verizon's, is used to customize advertising based on predictions generated from your visits over time and across different websites and apps. When you see this icon  in or around an advertisement you can click on the icon to see additional information on the companies and data practices that were used to deliver the ad and descriptions of how you may opt out of these advertising programs. You may also visit [Digital Advertising Alliance's Consumer Choices](#) to learn more or to limit the collection of information by these parties. Similarly, many mobile devices offer controls you can set to limit the advertising use of information collected across mobile apps on your device. AOL also provides these types of services to advertisers, more information is described in the [AOL privacy policy](#).

Please note that many opt outs use browser cookies or device controls and are specific to the device and browser you are using. If you buy a new computer, change web browsers or devices or delete the cookies on your computer, you may need to opt out again. In addition, ads you receive may still be tailored using other techniques such as publisher, device or browser-enabled

targeting. You should check the privacy policies of the products, sites, apps and services you use to learn more about any such techniques and your options.

You also can limit the collection of certain website information by deleting or disabling cookies. Most computers' Internet browsers enable you to erase cookies from your computer hard drive, block all cookies, or receive a warning before a cookie is stored. Disabling cookies may prevent you from using specific features on our sites and other websites, such as ordering products or services and maintaining an online account. Cookies must be enabled for you to use your Verizon e-mail account.

[See information about managing cookies](#)

### **Relevant Advertising**

Verizon broadband Internet access customers may opt out of the relevant online advertising program described above by following the instructions [here](#). Verizon Wireless customers may opt out of the relevant mobile advertising program by following the instructions [here](#) or by calling us at 1-866-211-0874. You may opt out of Verizon's Relevant TV advertising program by following the instructions [here](#). If you opt out online, you will need your account user ID and password. Also, please note that you will receive ads whether you participate in these programs or not, but under these programs, ads may be more relevant to you.

### **Business and Marketing Reports**

Verizon Wireless customers may choose not to have their information included in the creation of aggregated [business and marketing reports](#) that do not specifically identify any individual customers. You may opt out by calling 1-866-211-0874 or by visiting [verizonwireless.com/myprivacy](#). Please note that if you have a More Everything Plan® or multi-line account, you must indicate your opt out choice for each line. If you add a line or change a telephone number, you will need to update your privacy choices.

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### **AOL Choices:**

You have choices about how AOL uses information. To learn more visit the [AOL Privacy Policy](#).

### **Working Together to Keep Children Safe**

Verizon recognizes that online service providers must be vigilant in protecting the safety and privacy of children online. We do not knowingly market to or solicit information from children under the age of 13 without obtaining verifiable parental consent.

Verizon strongly supports educating parents and young Internet users on safe viewing practices and we offer a variety of tools to help children and parents avoid encountering objectionable content or communications while using our services.

Verizon's Parental Control Center provides many free resources that offer guidance, connect parents with experts and help give parents the technical knowledge to help keep kids safer online.

To learn more about AOL's information practices with respect to children under 13, please review AOL's Important Note to Parents.

Regrettably, there are those who use the Internet to view, store and distribute child pornography (or who engage in other types of illegal activity involving children). Child pornography is subject to severe criminal penalties and using the Verizon network to view, store or distribute it violates our service contracts. The Verizon network may not be used by customers in any manner for the storage, transmission or dissemination of images containing child pornography and we will report any instances of such activity of which we become aware to the appropriate law enforcement authorities.

If you have a complaint about child pornography, the soliciting of children for sexual activity, or any other illegal or inappropriate activity involving children on a Verizon service, report it to us by sending an email to [abuse@verizon.net](mailto:abuse@verizon.net). Please include the words "child porn" in the subject line of your email. You can also make a report directly to the National Center for Missing and Exploited Children through its CyberTipline located at [www.cybertipline.org](http://www.cybertipline.org).

Additional Internet safety resources and information are available at:

- <http://www.netsmartz.org/>
- <http://www.wiredsafety.org/>
- <http://www.onguardonline.gov/>
- <http://www.commonssensemedia.org/>
- <http://www.stopbullying.gov/>
- <http://www.cyberbullying.us/>
- <http://www.connectsafely.org/>

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## **Information Security and Data Retention**

Verizon has technical, administrative and physical safeguards in place to help protect against unauthorized access to, use or disclosure of customer information we collect or store, including social security numbers. Employees are trained on the importance of protecting privacy and on the proper access to, use and disclosure of customer information. Under our practices and policies, access to sensitive personally identifiable information is authorized only for those who

have a business need for such access. Personally identifiable and other sensitive records are retained only as long as reasonably necessary for business, accounting, tax or legal purposes.

Although we work hard to protect personal information that we collect and store, no program is 100% secure and we cannot guarantee that our safeguards will prevent every unauthorized attempt to access, use or disclose personal information. Verizon maintains security and incident response plans to handle incidents involving unauthorized access to private information we collect or store.

If you become aware of a security issue, please contact Verizon's Security Control Center. We will work with you to address any problems.

Verizon often publishes helpful information about a wide range of scams that you may encounter.

[View current information about Internet and phone scams and tips on how to protect yourself](#)

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## **Contact Information**

If you have questions, concerns or suggestions related to our Privacy Policy or our privacy practices you may contact us at:

Verizon Privacy Office  
1300 I Street, NW  
Suite 400 West  
Washington, DC 20005  
Fax: 202-789-1432  
Email: [privacyoffice@verizon.com](mailto:privacyoffice@verizon.com)

## **Accessing and Updating Your Information**

We strive to keep our customer records as accurate as possible. You may correct or update your Verizon customer information by calling a Verizon customer service representative at 1-800-VERIZON or by accessing your account online and providing the updated information there. Similarly, updates can be made to your Verizon Wireless account by calling a Verizon Wireless customer service representative at 1-800-922-0204 or [online](#). Verizon Enterprise Services customers may update their information by contacting their account manager. Verizon Vehicle customers may change or update their contact information by calling 1-800-711-5800. Registered AOL users may access and update their registration information and any billing or shipping information by visiting [My Account](#).

FiOS and other customers served over our fiber-to-the-premises network who would like to see their personally identifiable information, may contact us at [privacyoffice@verizon.com](mailto:privacyoffice@verizon.com) to arrange a time and convenient location to do so during business hours. You will need to provide



proper identification and you may examine records that contain personally identifiable information about you and no one else. If you believe any of your personally identifiable information is inaccurate, we will work with you to ensure that corrections are made. Verizon reserves the right to charge you for the cost of photocopying any documents you request.

### **Links to and from Non-Verizon Websites and Content**

Verizon websites, apps and platforms may contain links to non-Verizon sites and Verizon apps or other content may be included on web pages and web sites that are not associated with Verizon and over which we have no control. We are not responsible for the content on these sites or platforms or the privacy policies and practices employed by these sites and platforms. We recommend that you review the policies and practices of the sites you visit.

### **Information Sharing: Blogs and Social Networking**

Some Verizon websites, apps, and services may allow you to participate in web log ("blog") discussions, message boards, chat rooms, and other forms of social networking and to post reviews. Please be aware that these forums are accessible to others. We urge you to not submit any personally identifiable information to these forums because any information you post can be read, collected, shared, or otherwise used by anyone who accesses the forum. Verizon is not responsible for the information you choose to submit in these forums. If you post content to information sharing forums, including any information about the movies you rent or view, you are doing so by choice and you are providing consent to the disclosure of this information.

### **Changes to This Policy**

We reserve the right to make changes to this Privacy Policy, so please check back periodically for changes. You will be able to see that changes have been made by checking to see the effective date posted at the end of the policy.

If Verizon elects to use or disclose information that identifies you as an individual in a manner that is materially different from that stated in our policy at the time we collected that information from you, we will give you a choice regarding such use or disclosure by appropriate means, which may include use of an opt out mechanism.

Updated June, 2015

## AT&T Privacy Policy

### About Our Privacy Policy

Whenever you do something like buy one of our products, stream a movie or download an app, information is created. Because we know your privacy is important, we have a Privacy Policy to explain how we collect, use and protect that information. There's a quick summary below, and the entire policy is written in an easy FAQ format. We want to simplify this, so you can make informed choices about your privacy, and then spend the rest of your time enjoying our products and services.

Effective September 16, 2013

### A Quick Summary of Our Privacy Policy

Our privacy policy applies to your use of our products and services. We will always provide you with notice of material changes to this Policy. In order to do things like constantly improve our services, products and relationship with you, we may collect different types of information that help us learn more about how you use our offerings.

Here's some of the information we collect:

- **Account Information** includes your name, address, telephone number, e-mail address, service-related details such as payment data, security codes, service history and other information like that;
- **Network Performance & Usage Information** tells us how you use our network, our products and our services, and how well our equipment and network is performing;
- **Web Browsing & Wireless Application Information** tells us about the websites you visit and the mobile applications you use on our network;
- **Location Information** tells us where your wireless device is located, as well as your ZIP-code and street address;
- **U-verse Information** tells us about which programs you watch and record, the games you play, the applications you use and similar information about how you use our U-verse services and applications.

Here are the three basic ways we collect it:

- We get information from you when you do things like make a purchase from us;
- We collect it from how you use our products and services;
- We obtain information from other sources, like credit agencies, marketing companies, and other service providers.

Here are just some of the ways we use it. To:

- Provide services and improve your customer experience;
- Send you bills for your services;
- Respond to your questions;
- Address network integrity and security issues;
- Do research and analysis to maintain, protect, develop and improve our network and services;

- Let you know about service updates, content, offers and promotions that may be of interest to you;
- Improve entertainment options;
- Deliver Relevant Advertising;
- Create External Marketing & Analytics Reports;
- Assist in the prevention and investigation of illegal activities and violations of our Terms of Service or Acceptable Use Policies.

**Some examples of who we share your Personal Information with:**

- **Across AT&T companies** to give you the best customer experience and to help you get everything we have to offer.
- **With other companies that perform services on our behalf** only as needed for them to perform those services. We require them to protect your information consistent with our Policy.
- **With other companies and entities, to:**
  - Respond to 911 requests and other emergencies or exigencies;
  - Comply with court orders and other legal process;
  - Assist with identity verification, and preventing fraud and identity theft;
  - Enforce our agreements and property rights; and
  - Obtain payment for products and services including the transfer or sale of delinquent accounts to third parties for collection

**Details on Personal and Anonymous & Aggregate Information**

- What is Personal Information? Information that identifies or reasonably can be used to identify you.
- What is Anonymous? This is information that doesn't identify you and can't reasonably be used to identify you specifically.
- What is Aggregate? We take a whole bunch of people's data and combine it into anonymous groups or categories.
- How we use this information? We use and share this information in many ways including research, analysis, retail marketing and Relevant Advertising. This data is also included in External Marketing & Analytics Reports
- Want to learn more? Go [here](#).

**Our privacy commitments**

- We don't sell your Personal Information to anyone for any purpose. Period.
- We keep your Personal Information in our business records while you are a customer, or until it is no longer needed for business, tax or legal purposes.
- We will keep your information safe using encryption or other appropriate security controls.

**Our Online Privacy Policy for Children**

- We want you to know that we don't knowingly collect personally identifying information from anyone under the age of 13 unless we first obtain permission from the child's parent or legal guardian.

- For information about safety and controls, view our AT&T Smart Controls parental tools.

### **Your Choices & Controls**

- You have choices about certain types of advertising you get from us;
- You can control whether your anonymous information is used in our External Marketing & Analytics Reports;
- You can choose whether to receive marketing calls, e-mails or text messages from us;
- You have a choice about how we use your Customer Proprietary Network Information;

Visit our Privacy Policy for more information.

- Definitions
- Scope of this Policy
- The Information We Collect, How We Collect It, And How We Use It
- Information Sharing
- Online Activity Tracking and Advertising
- Location Information
- Aggregate and Anonymous Information
- External Marketing & Analytics Reports
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### **Your California Privacy Rights**

California Civil Code Section 1798.83 entitles California customers to request information concerning whether a business has disclosed Personal Information to any third parties for their direct marketing purposes. As stated in this Privacy Policy, we will not sell your Personal Information to other companies and we will not share it with other companies for them to use for their own marketing purposes without your consent.

### **California Web Site Data Collection & "Do Not Track" Notices**

**Web Site Data Collection:** We do not knowingly allow other parties to collect personally identifiable information about your online activities over time and across third-party web sites when you use our websites and services. AT&T provides information about the opt-out choices it makes available, and the opt-outs choices provided by certain third-party website and mobile application analytics companies we use here.

**"Do Not Track" Notice:** Because the providers of "do not track" and similar signals do not yet operate according to common, industry-accepted standards, AT&T currently does not respond to those signals. For more information on Do Not Track, please visit www.allaboutdnt.com.

California customers who wish to request further information about our compliance with these requirements, or have questions or concerns about our privacy practices and policies may contact us at [privacypolicy@att.com](mailto:privacypolicy@att.com), or write to us at AT&T Privacy Policy, 1120 20th Street, N.W., 10th Floor, Washington, DC 20036.

## AT&T Privacy Policy FAQ

### Our AT&T Privacy Policy in easy, FAQ format.

We understand that everyone thinks that privacy policies are long, complicated and difficult to understand. So we're going to try to make this as simple as possible.

## DEFINITIONS

Let's start with what we mean when we say:

**Aggregate Information:** Information that we combine into anonymous groups of customers or users. One way to think of it is in terms of a survey or opinion poll. Aggregate information would tell you that 80 percent of the people voted for a candidate, but not who actually voted. These groups are large enough to reasonably prevent individuals from being identified.

**Anonymous Information:** Information that doesn't directly identify and can't reasonably be used to identify an individual customer or user.

**Customer:** Anyone who purchases or uses our products or services. When a customer purchases retail products or services for use by others, like a family account, those family members also are customers.

**Mobile Application:** A software application that runs on smartphones, tablet computers or other mobile devices and that allows users to access a variety of services and information.

**Personal Information:** Information that directly identifies or reasonably can be used to figure out the identity of a customer or user, such as your name, address, phone number and e-mail address. Personal Information does not include published listing information.

**Relevant Advertising:** Uses aggregate information about groups of people (like age, ethnicity, income range, where those groups live and work, and their interests) to develop advertising that is more likely to be useful to that group. It does not use individual data about what a specific person might like. "Online behavioral advertising" is one type of relevant advertising. It uses interest categories based on the websites visited by groups of people to deliver advertising online.

**User:** Anyone who visits our websites or uses our mobile applications.

**Website:** And other terms like "Internet site," "site" and "web page" all mean the same thing, namely any page or location on the Internet, no matter what device (cell phone, tablet, laptop, PC, etc.) or protocol (http, WAP, ftp or other) is used to access the page or location.



## QUESTIONS ABOUT THE SCOPE OF THIS POLICY

### 1. What does this Policy cover?

This Privacy Policy covers our practices regarding the information we collect about our customers and users (how we collect it and how we use it). Use of our products and services, as well as visits to our websites, are subject to this Privacy Policy.

### 2. Do you have any Privacy Policies other than this one?

Yes. The Joint AT&T EchoStar Privacy Policy for AT&T/DISH Network Customer Account Information remains in effect for AT&T/DISH subscribers.

AT&T companies that do not operate under our brand may have separate privacy policies.

Some areas outside the United States require us to work a little differently. In that case, AT&T may adopt separate privacy policies as necessary to reflect the requirements of applicable local laws.

### 3. What about my family members and other users of my AT&T account? Does this Policy apply to them?

Yes. You're responsible for making sure all family members or other users under your account understand and agree to this Policy. Get everyone together and talk about it. Or, send it by e-mail to make sure they're on board. Hang it on the fridge. Up to you, just share it!

### 4. When is information not covered by this Policy?

Any time you give information to companies other than AT&T. Some examples are:

- When you use a non-AT&T Wi-Fi service;
- When you download applications or make purchases from other companies while using our Internet or wireless services;
- When you go to a non-AT&T website from one of our websites or applications (by clicking on a link or an advertisement, for example);
- If you use public forums - such as social networking services, Internet bulletin boards, chat rooms, or blogs - the information is publicly available, and we cannot prevent distribution and use of that information by other parties;
- Information about your location, usage and the numbers you dial when you're out and about and roaming on the network of another company;
- When you purchase or use non-AT&T products (such as wireless devices, internet browsers and mobile applications) in combination with AT&T services;

- When we license our brand to other companies for their use in marketing and selling certain non-AT&T products and services, information you give those companies is not covered by this Policy.

5. Can my information be covered by this policy and other privacy policies at the same time?

Yes, that can happen. For example:

Sometimes we will provide a service with other companies. In that case your information may be subject to this Policy and that of the other companies. For example, if you use AT&T High Speed Internet services "powered by" Yahoo! Inc., your information may be covered by both this Policy and the Yahoo! Privacy Policy.

If you purchase one of our products or services from a retailer like Best Buy or Amazon.com, for example, any information you provide to them may be subject to both their policy and ours.

If you connect to our Wi-Fi service through another network, such as one provided in a hotel, airport or other venue, any information collected from your use of that network could be subject to either the AT&T policy or the venue policy, and sometimes both. The same thing applies if you connect to our network through your employer's corporate network, or any network operated by a non-AT&T company.

We think it's a great idea to take a look at the privacy policies of any companies you do business with to learn how they use your information.

6. What about business customers?

We have written product or service agreements with our business customers that contain specific provisions about confidentiality, security or handling of information. When one of these agreements differs from or conflicts with this Policy, the terms of those agreements will apply. In all other instances, the terms of this Policy apply.

## QUESTIONS ABOUT THE INFORMATION WE COLLECT, HOW WE COLLECT IT AND HOW WE USE IT

1. What information do we collect?

We may collect different types of information based on your use of our products and services and on our business relationship with you.

- **Account Information:**

- **Contact Information** that allows us to communicate with you. We get this information when you order or register for our services. This would include information like your name, address, telephone number and e-mail address.

- **Billing Information** related to your financial relationship with us, such as the services we provide to you, the telephone numbers you call and text, your payment history, your credit history, your credit card numbers, Social Security number, security codes and your service history.
- **Technical & Usage Information** related to the services we provide to you, including information about how you use our network, services, products or websites. Some examples include:
  - **Equipment Information** that identifies your equipment on our network, such as equipment type, device IDs, device status, serial numbers, settings, configuration and software.
  - **Network Performance & Usage Information** about the operation of the equipment, services and applications you use on our network. Examples of this might include wireless device location, the number of text messages sent and received, voice minutes used, bandwidth used, and resources you use when uploading, downloading or streaming data to and from the Internet. We also collect information like transmission rates and delays, data associated with remote monitoring services and security characteristics.
    - Some Network Performance & Usage Information and some Billing Information is **Customer Proprietary Network Information** or "CPNI." Unique rules apply to CPNI. Go [here](#) to learn more about what it is, how we use it and the choice you can make about that use.
  - **Web Browsing & Mobile Application Information** such as IP addresses, URLs, data transmission rates and delays. We also learn about the pages you visit, the time you spend, the links or advertisements you see and follow, the search terms you enter, how often you open an application, how long you spend using the app and other similar information.
- **Location Information** includes your ZIP-code and street address, as well as the whereabouts of your wireless device. Location information is generated when your device communicates with cell towers, Wi-Fi routers or access points and/or with other technologies, including the satellites that comprise the Global Positioning System.
- **U-verse Information** is generated when you use our U-verse suite of services including TV, On Demand, Total Home DVR®, High Speed Internet Service, Online, U-verse App for tablet or smartphone and similar AT&T services and products, including the programs and channels you and those in your household watch and record, the times you watch and how long you watch. It also includes information like the games you play and the applications you use. We also collect information related to your use and interaction with the U-verse equipment in your home, including the U-verse TV remote and Set Top Box.

## 2. How Do You Collect Information?

In three basic ways:

- **You Give It To Us** when you make a purchase or set up an account with us;
- **We Automatically Collect Information** when you use our network, products and services. For example, we use network tools to collect your call records; we collect wireless device location from our network and from your device; and we also use cookies, web server logs and other technologies.
- **We Obtain Information from Outside Sources** like credit reports, marketing mailing lists, and commercially available geographic and demographic information.

## 3. How Do You Use My Information?

We use your information to improve your experience and to make our business stronger. Some examples include:

- Providing and managing your services, responding to your questions and addressing problems;
- Delivering customized content, or advertising, such as personalized offers for products and services that may be of interest to you;
- Communicating service updates, offers and promotions;
- Protecting network integrity and security, ensuring quality control, optimizing capacity and preventing misuse;
- Network enhancement planning, engineering and technical support;
- Conducting research and analysis for maintaining, protecting and developing our network and our services;
- Preventing illegal activities, suspected fraud, and potential threats to our network and our customers' networks;
- Investigating violations of our Terms of Service, Acceptable Use Policies, or other service conditions or restrictions; and
- Protecting the safety of any person.

## 4. Do you use the information I store using one of your cloud services?

We only use it to provide you with that service, unless we first get your permission to use it for something different.

## QUESTIONS ABOUT INFORMATION SHARING

1. Do you provide information for phone books and Caller ID?

Yes and No.

Yes, we share the names, addresses and telephone numbers of our wireline telephone and U-verse Voice customers with businesses that publish directories and provide directory assistance services. We are required by law to do that. We honor your request for non-published or non-listed phone numbers. Once we provide published listing information to those businesses, they may use, sort, package, repackage and make it available again in different formats to anyone.

We also provide wireline and wireless calling name and number information for CallerID, and related services like Call Trace, which allow persons receiving a call to obtain the name and number of the party calling them.

No, we do not give listing information for wireless numbers to phone book publishers or directory assistance services without your permission.

2. Do you share my Personal Information internally?

Yes. Our products and services are developed, managed, marketed and sold by a variety of AT&T companies. Sharing this information helps us offer you the high quality, seamless and innovative range of products you have come to expect from us. Some of these include:

- Wireless voice, data, Internet, home security, automation and remote monitoring services provided by AT&T Mobility and AT&T Digital Life; and
- The U-verse suite of TV, Voice and High Speed Internet Access services offered by the AT&T telephone companies.

If one of our subsidiaries does not operate under the AT&T brand, information sharing with that subsidiary is handled as though it is a non-AT&T company.

3. Do you share my Personal Information with other companies for them to market to me?

We will only share your Personal Information with other companies for them to use for the marketing of their own products and services when we have your consent.

4. Are there any other times when you might provide my Personal Information to other companies or entities?

Yes. We share your Personal Information with companies that perform services for us, like processing your bill. Because we take our responsibility to safeguard your Personal Information seriously, we do not allow those companies to use it for any purpose other than to perform those services, and we require them to protect it in a way consistent with this Policy.

Companies that perform these services may be located outside the United States or the jurisdiction where you reside. If your Personal Information is shared with these



companies, it could be accessible to government authorities according to the laws that govern those jurisdictions.

There are also occasions when we provide Personal Information to other companies or other entities, such as government agencies, credit bureaus and collection agencies, without your consent. Some examples include sharing to:

- Comply with court orders, subpoenas, lawful discovery requests and other legal or regulatory requirements, and to enforce our legal rights or defend against legal claims;
- Obtain payment or make refunds for products and services that appear on your AT&T billing statements, including the transfer or sale of delinquent accounts or refund obligations to third parties for collection or payment;
- Enforce our agreements and protect our rights or property,
- Assist with identity verification and e-mail address validation;
- Notify, respond or provide information (including location information) to a responsible governmental entity in emergency or exigent circumstances or in situations involving immediate danger of death or serious physical injury; and
- Notify the National Center for Missing and Exploited Children of information concerning child pornography of which we become aware through the provision of our services.

5. Do you share my personally identifiable U-verse TV viewing information with other companies?

We don't share your personally identifiable U-verse TV information with other companies for them to use for the marketing of their own products and services without your consent. We are required to notify you about the special requirements we must follow when it comes to sharing your personally identifiable U-verse TV information in response to a Court Order:

**Notice Regarding Disclosure of Personally Identifiable Information of AT&T U-verse TV Subscribers in Response to Court Order**

- In the case of a court order obtained by a non-governmental entity, AT&T is authorized to disclose personally identifiable information collected from AT&T U-verse TV subscribers as a result of the subscriber's use of AT&T's U-verse TV service only after providing prior notice to the subscriber.
- In the case of a court order obtained by a governmental entity, AT&T is authorized to disclose personally identifiable information collected from AT&T U-verse TV subscribers as a result of the subscriber's use of AT&T's U-verse TV service only if, in the court proceeding relevant to the order:
  - The governmental entity offers clear and convincing evidence that the subject of the information is reasonably suspected of engaging in

criminal activity and that the information sought would be material evidence in the case; and

- The subject of the information has an opportunity to appear and contest the governmental entity's claim; and
- We have provided notice to the subscriber as required by applicable state law.

## QUESTIONS ABOUT MY INFORMATION & ADVERTISING

### 1. Do you use my information to send me advertising?

Yes. We may use information like the preferences you have expressed and interests you have demonstrated on our websites, in our stores and through use of our products and services, to provide you with marketing information and advertisements for AT&T products and services. Those ads may be delivered on our websites and mobile applications. This is called "first party" advertising. It is part of our service relationship and you are not able to opt-out from this type of advertising.

We or our advertising partners may also use anonymous information gathered through cookies and similar technologies, as well as other anonymous and aggregate information that either of us may have to help us tailor the ads you see on non-AT&T sites. For example, if you see an ad from us on a non-AT&T sports-related website, you may later receive an ad for sporting equipment delivered by us on a different website. This is called "online behavioral advertising," which is a type of Relevant Advertising.

### 2. Do you use my information for other types of Relevant Advertising?

Yes. We may also use information we get through your use of our products and services, from our advertising partners, and information like your age and gender to deliver Relevant Advertising that is not online behavioral advertising. We combine your anonymous information with that of other users into aggregate "audience segments." These segments are based on particular interests and/or factual characteristics that everyone in that audience segment is likely to share. We might use that information to send you advertisements that are relevant to those interests or characteristics.

We are careful to create Relevant Advertising with aggregate audience segments that are large enough that you can't be identified individually.

### 3. Do you use the location of my device for advertising purposes?

Yes. AT&T uses information about the locations you visit in order to create combined wireless location interest characteristics that can be used to provide Relevant Advertising to you and others like you.

Location characteristics are types of locations - like "movie theaters." People who live in a particular geographic area (a city, ZIP-code or ZIP+ 4 code, for example) might appear to have a high interest in movies, thanks to collective information that

shows wireless devices from that area are often located in the vicinity of movie theaters. We might create a "movies characteristic" for that area, and deliver movie ads to the people who live there.

We may associate your wireless device with a particular geographic area, such as a city, ZIP-code, or ZIP + 4 code, based on your billing address or the cell towers you connect with most frequently.

In addition to other privacy protections, the process we use to create our audience segment includes a requirement that the ZIP + 4 or other geographic area to which a wireless location is assigned must contain a minimum of 25 households. ZIP + 4 codes with less than 25 households are combined with other ZIP + 4 codes to satisfy this requirement.

4. What's in it for me?

Just like the name says, you get advertising that's more relevant to your interests. For example, if a particular audience segment, like adults between the ages of 21 and 25 with a certain income range, has demonstrated a greater interest in movies than other segments, we might send them a movie ad for a movie geared toward young adults. This is just one way we deliver content that's more relevant.

5. How do you use information about the programs I watch on U-verse TV to advertise to me?

We combine information about the shows that our customers are watching with their common interests to help us figure out what types of advertising they might be interested in seeing.

It sometimes works like this: We look at the group of people watching a particular show. We identify common characteristics within that group. We use those characteristics to identify and deliver advertising that might be most relevant to watchers of that TV show. We might also deliver that same advertising during shows that appear to have similar audiences.

6. Do I ever have a chance to tell you what I'm personally interested in?

Yes. With some programs you can sign up to receive text-message offers from businesses that are near your current location and match the interests you've selected. You can change your mind at any time and stop participating in these programs.

When we add new offers like AT&T Internet Preferences we'll let you know, so you can decide if you'd like to participate. For example, we may offer you free or discounted services in exchange for the use of your Personal Information for advertising and other similar purposes. We promise, before we use any of your Personal Information (including information we gather as an Internet service provider) for such purposes, we will always give you the opportunity to make an informed choice about whether to participate.

7. What information do you provide to advertisers?

AT&T may provide reports to advertisers and other business customers about the success of its advertising campaigns. Those reports contain aggregate information about the number of times a particular ad was viewed, when it was viewed, whether it was viewed on a TV, a mobile device or a computer, demographics associated with the viewing audience and other similar information. Your anonymous information will not be included in aggregate reports about the success of Relevant Advertising campaigns if you have opted-out of Relevant Advertising delivered by AT&T.

## QUESTIONS ABOUT LOCATION INFORMATION

### 1. What is location information?

Exactly what it sounds like! It includes your ZIP-code and street address, as well as the whereabouts of your wireless device.

### 2. How is it used?

We use it in all kinds of ways, here are some examples:

- **We Provide Wireless Voice and Data Services:** We monitor, collect and use wireless location information, together with other information we get from our network and your wireless device, to maintain and improve our network. We also might use location information with your consent to provide you with a customized experience. For example, when you dial 411 Directory Assistance for a business telephone number, we might use your wireless location information to return the number of the business location closest to you.
- **Location Based Services (LBS):** Your device can be used to access a ton of services based on location. We offer these services via applications that have been pre-loaded or downloaded by you on your device. LBS also may be provided via text message or other functionality. We'll give you prior notice and ask for your consent when your location is used or shared. The form of consent may vary, but will be appropriate for the type of AT&T LBS you use.
- **LBS from other providers:** With your consent (to us or the other company) we also may enable LBS from other companies by providing location information to their developers or location service providers.
- We use it for Advertising.

### 3. How accurate is wireless location information?

It depends on the technology we're using. For example, we can locate your device based on the cell tower that's serving you. The range could be up to 1,000 meters in any direction from the tower in urban areas, and up to 10,000 meters in rural areas. Wi-Fi networks provide more accurate location information, associating you with the place where the network is located - like a coffee shop - or to an area within or around that place.

Services such as 411, 911, a "friend locator" application or a navigation/mapping application, require more precise information. So for those we develop a more precise

estimate of location by associating the serving cell tower ID with other information, like the latitude and longitude of the tower, radio frequency parameters, GPS information and timing differences in radio signals. Depending on a variety of factors, those methods may estimate the location of your device to within 30 to 1000 meters.

4. Are you the only ones who can locate my wireless device?

Other companies may also be able to locate your device. For example, your handset manufacturer and your operating system provider may be able to locate your device. If you download mobile applications, those apps may be able to obtain your location directly from your handset or the operating system. Mobile applications that give you access to your employer's network may also give your employer the ability to locate your device.

We urge you to review Policies of all providers.

## QUESTIONS ABOUT AGGREGATE AND ANONYMOUS INFORMATION

1. Where do you get anonymous information?

Sometimes we'll collect information about how you use our products using cookies and other similar technologies. This information doesn't include your Personal Information and is considered anonymous.

When we collect information that identifies you personally, we may anonymize it for certain purposes. We remove data fields (such as name, address and telephone number) that can reasonably be used to identify you. We also use a variety of statistical techniques and operational controls to anonymize data. Anonymizing information is one of the tools we use to protect your privacy.

2. Tell me more about aggregate information.

Aggregate information is a form of anonymous information. We combine data that meet certain criteria into anonymous groups. For example, we might want to compare how customers in Beverly Hills, CA (or any city, county or ZIP-code) use their cell phones to how customers in Boulder, CO use their cell phones. In order to do that, we would combine customer data in each of the geographies into anonymous groups and look at all that aggregate data to understand how the two groups are different or similar.

3. Do you share anonymous or aggregate information?

Yes, we may share this information with other companies and entities for specific uses, which may include:

- Universities, laboratories, think tanks and other entities that conduct networking, social, behavioral, environmental and other types of scientific research, for the purpose of creating fundamental new knowledge;

- Municipalities, government or other entities that may use this data for purposes such as municipal and transportation planning, and emergency and disaster response coordination.

We share this information in external reports like our External Marketing & Analytics Reports and Metric Reports.

## **QUESTIONS ABOUT EXTERNAL MARKETING AND ANALYTICS REPORTS**

### **1. Tell me more about the External Marketing & Analytics Program.**

We use aggregate information to create External Marketing & Analytics Reports that we may sell to other companies for their own marketing, advertising or other similar uses.

These reports may be a combination of information from wireless and Wi-Fi locations, U-verse, website browsing and mobile application usage and other information we have about you and other customers. You have a choice about whether your anonymous information is included in the reports that we sell or provide to other companies.

Some examples of External Marketing & Analytics Reports include:

- Reports for retail businesses that show the number of wireless devices in or near their store locations by time of day and day of the week, together with demographic characteristics or other information about the users (such as device type, age or gender) in those groups.
- Reports that combine anonymous U-verse TV viewing behaviors with other aggregate information we may have about our subscribers to create reports that would help a TV network better understand the audiences that are viewing their programs, those that are not, how frequently they watch, when they watch and other similar information; and
- Reports for device manufacturers that combine information such as device type, make and model with demographic and regional location information to reflect the popularity of particular device types with various customer segments.

### **2. Do you provide companies with individual anonymous data as part of your External Marketing & Analytics Program?**

Yes. For example, we might share anonymous U-verse TV viewing information with media research companies that combine this data with other information to provide audience analysis services about what shows certain audience segments are watching. When we provide individual anonymous information to businesses, we require that they only use it to compile aggregate reports, and for no other purpose. We also require businesses to agree they will not attempt to identify any person using this information, and that they will handle it in a secure manner, consistent with this Policy.



3. Do you use my anonymous information in other types of external reports?

Yes, we may use your anonymous information to provide Metrics Reports to our business customers and service suppliers. These reports are considered part of the underlying service and we do not sell them to other customers or suppliers.

For example, if you connect to our Wi-Fi service in a hotel, airport or other venue you should know the operator of that venue is our business customer, and that we will provide that operator with Metrics Reports about usage of and communications with the Wi-Fi network in their location. Those reports contain statistical information like:

- The number of devices connecting to the Wi-Fi network, duration of Wi-Fi sessions and the amount of bandwidth used during those sessions; and
- Foot-traffic data, including the numbers of devices inside and outside the store at a given time; the number of new and frequent visitors; where visitors are located within the store (e.g., specific departments or other locations within the venue) and frequency of visits and time spent within the store.
- **NOTE:** When your wireless device is turned on, it regularly sends out signals that enable it to connect to cell towers, Wi-Fi access points or other technologies so that we (and others) are able to provide you with services. These signals can be used to determine your device location. You can turn Wi-Fi to the "off" position on the "settings" feature of your device to prevent the collection of these signals by Wi-Fi equipment in retail stores and other public places.

Another example, we also license U-verse video programming from content providers. As part of our agreement, we provide them with Metrics Reports. These reports contain combined measurements and statistical information related to the number of U-verse TV subscribers who watched or accessed a particular program at a particular time and other similar measurements.

## QUESTIONS ABOUT OUR ONLINE PRIVACY POLICY FOR CHILDREN

1. Do you collect information about my children's use?

We do not knowingly collect personally identifying information from anyone under the age of 13 unless we first obtain permission from the child's parent or legal guardian.

2. What happens when my child is using an account not registered to them?

Internet and wireless devices and services purchased for family use may be used by children without our knowledge. When that happens, information collected may appear to us to be associated with the adult customer who subscribes to our services and will be treated as the adult's information under this Policy.

3. What can I do to help better protect my child's information?

We encourage you to spend time online with your children, and to participate in and monitor their online activity. We have developed a website that offers safety and control tools, expert resources and tips designed to help you manage technology choices and address safety concerns. Please visit [AT&T Smart Controls](#) for more information.

4. What if my child has an AT&T e-mail sub-account?

If you create an AT&T e-mail sub-account for a child under the age of 13:

- With your permission we collect your child's name, nicknames and aliases, alternative e-mail address, birth date, gender and ZIP-code.
- We use the information collected on sub-accounts to create and maintain those accounts, for research, to customize the advertising and content seen on our pages and for other marketing purposes. Your child can use their AT&T e-mail address and password to log onto websites and online services provided by us, like [uverse.com](#). We and our advertising partners may collect and use information about customers who log onto those sites as described in the "[Questions about the Information We Collect, How we Collect It and How We Use It](#)" section of this Privacy Policy. A list of the advertising partners who collect information on our sites and the ability to opt-out of advertising provided by those partners is available [here](#)
- We will not contact a child under the age of 13 about special offers or for marketing purposes without parental consent.
- You or your child can review, edit, update, and delete information relating to your child's sub-account and, if you no longer wish your child to have such an account, you can revoke your consent at any time, by logging on to manage your account [here](#).

You may e-mail us at [privacypolicy@att.com](mailto:privacypolicy@att.com), call us at 800.495.1547 or write to us at AT&T Privacy Policy, 1120 20th Street, N.W., 10th Floor, Washington, DC 20036 with any questions or concerns you may have about our Children's Online Privacy Policy.

## QUESTIONS ABOUT DATA PROTECTION AND SECURITY

1. Do we sell your Personal Information?

No. We do not sell your [Personal Information](#) to anyone, for any purpose. Period.

2. How long do we keep your Personal Information?

We keep your [Personal Information](#) as long as we need for business, tax or legal purposes. After that, we destroy it by making it unreadable or undecipherable.

3. What safeguards does AT&T have in place?

We've worked hard to protect your information. And we've established electronic and administrative safeguards designed to make the information we collect secure. Some examples of those safeguards include:

- All of our employees are subject to the AT&T Code of Business Conduct (COBC) and certain state-mandated codes of conduct. Under the COBC, all employees must follow the laws, rules, regulations, court and/or administrative orders that apply to our business - including, specifically, the legal requirements and company policies surrounding the privacy of communications and the security and privacy of your records. We take this seriously, and any of our employees who fail to meet the standards we've set in the COBC are subject to disciplinary action. That includes dismissal.
- We've implemented technology and security features and strict policy guidelines to safeguard the privacy of your Personal Information. Some examples are:
  - Maintaining and protecting the security of computer storage and network equipment, and our security procedures require employee user names and passwords to access sensitive data;
  - Applying encryption or other appropriate security controls to protect Personal Information when stored or transmitted by us;
  - Limiting access to Personal Information to only those with jobs requiring such access; and
  - Requiring caller/online authentication before providing Account Information so that only you or someone who knows your Account Information will be able to access or change the information.
  - Although we strive to keep your Personal Information secure, no security measures are perfect, and we cannot guarantee that your Personal Information will never be disclosed in a manner inconsistent with this Policy (for example, as the result of unauthorized acts by third parties that violate the law or this Policy).

4. Will you notify me in case of a security breach?

Laws and regulations guide us in how to give you notification when certain types of sensitive information are involved in a security breach. We will provide you with notice in accordance with these laws and regulations.

5. Can I review and correct my Personal Information?

Yes. We are happy to help you review and correct the Personal Information we have associated with your account and billing records. Please contact us.

6. Have your privacy practices been certified?

Yes, and we're very proud of it! TRUSTe has awarded us the TRUSTe Privacy Seal. As an independent third party, TRUSTe's mission is to accelerate online trust among consumers and organizations globally through its leading privacy Trustmark and innovative trust solutions.

Our TRUSTe Privacy Seal signifies that TRUSTe has reviewed our Privacy Policy and practices for compliance with TRUSTe's program requirements. These include transparency, accountability and choice regarding the collection and use of your Personal Information. The TRUSTe program covers only information that is collected through our certified web sites.

## QUESTIONS ABOUT FUTURE CHANGES

### 1. What happens if there is a change in corporate ownership?


Information about our customers and users, including Personal Information, may be shared and transferred as part of any merger, acquisition, sale of company assets or transition of service to another provider. This also applies in the unlikely event of an insolvency, bankruptcy or receivership in which customer and user records would be transferred to another entity as a result of such a proceeding.

### 2. Will I be notified if there are changes to this policy?

We may update this Privacy Policy as necessary to reflect changes we make and to satisfy legal requirements. We will post a prominent notice of the change on our websites. We will provide you with other appropriate notice of important changes at least 30 days before the effective date.

## YOUR CHOICES & CONTROLS

### 1. You can choose not to receive some types of advertising online or on your wireless device.

- Opt-out of all Relevant Advertising delivered by AT&T on your mobile device here. You'll need to opt-out on each mobile device you want to exclude.
- Opt-out of Relevant Advertising delivered by AT&T and online behavioral advertising provided by AT&T and other advertisers by clicking the "Ad Choices" link at the bottom of our web pages. You'll need to opt-out on each computer browser you want to exclude.
- Opt-out of interest-based advertising on att.net powered by Yahoo! here.
- Opt-out of online behavioral advertising from many other ad networks at the Network Advertising Initiative (NAI) site.
- When you see online ads for AT&T products and services that display this icon , click and you will get information on how to opt-out.

- To limit collection of data on web sites that may be used for advertising, go [here](#) for information on how to manage cookies and other similar technologies on your computer.

2. Do I have choices about receiving first party advertisements from AT&T?

Because first party advertising is part of the service you receive when you visit our websites and use our mobile applications, we don't offer an opt-out for first party advertising.

3. You can also choose not to receive other types of marketing from AT&T.

We realize that unwanted marketing contacts can be a hassle and we've worked hard to meet the expectations of customers and potential customers who have expressed a desire to limit certain types of solicitation communications from us.

**E-Mail:** Every marketing e-mail we send contains instructions and a link that will allow you to stop additional marketing e-mails for that product or service type. You also can unsubscribe from AT&T marketing e-mails [here](#).

**Text Messages:** Opt-out of AT&T marketing text message contacts by replying "stop" to any message.

**AT&T Consumer Telemarketing:** Ask to be removed from our consumer telemarketing lists by contacting us at [one of the numbers listed here](#). You also can ask the AT&T representative to remove you from our telemarketing lists when you receive a marketing or promotional call from us.

**AT&T Business Telemarketing:** Where required by state laws and/or regulations, we honor requests to be removed from our telemarketing lists from business customers.

**Federal Do Not Call:** The FTC maintains a National Do Not Call Registry at [donotcall.gov](http://donotcall.gov), and your state may maintain its own Do Not Call Registry. Putting your number on these Registries also may limit our AT&T telemarketing calls to that number.

**Postal Mail:** To review our Residential Do Not Mail Policy Statement and to limit postal mail solicitations, click [here](#). You will still receive billing statements, legal notices, product updates and other similar correspondence, and you may still receive some promotional mailings.

All of our practices are designed to satisfy state and federal legal requirements limiting marketing contacts. Those laws and regulations - such as the requirements governing the state and federal "Do Not Call" lists - generally permit companies to contact their own current and, in some cases, former customers, even when those customers are listed on the federal and state "Do Not Call" lists.

Restricting our use of your CPNI will not eliminate all types of our marketing contacts.

4. Can I choose to exclude my anonymous information from your External Marketing & Analytics and other similar reports?

Yes. Click [here](#) to opt-out. This opt-out also applies to the sharing of your anonymous information with other companies for their use in creating marketing and analytics reports. Although this opt out does not apply to Metrics Reports, it will apply if we combine Metrics Report information with other customer information (like demographics) to create reports that we provide to our business customers or service suppliers.

5. What is DNS error assist?

When you mistype a web address, or the address is not working, DNS Error Assist provides an automated list of similar pages – such as possibly the one you meant to type – for your consideration. The service is provided on your AT&T residential broadband connection, and you can opt-out [here](#). You will get a standard “no results found” error message instead of the error-assist page.

6. Are there any other opt-out choices I should know about?

We may use services provided by analytics companies to obtain information about website performance and how you use our mobile applications and other products and services. Go [here](#) for more information about the opt-outs made available by some of those vendors, and to make choices about participation.

7. These Choices and Controls also are available at [www.att.com/yourchoices](http://www.att.com/yourchoices).

## HOW TO CONTACT US ABOUT THIS POLICY

- We encourage you to contact us directly at either of these addresses below for any questions about this Privacy Policy.
  - E-mail us at [privacypolicy@att.com](mailto:privacypolicy@att.com)
  - Write to us at AT&T Privacy Policy, 1120 20th Street, N.W., 10th Floor, Washington, DC 20036.
- For questions not related to privacy click on the "Contact Us" link at the upper right hand corner of this page. You also can access your online account from the upper right hand corner of our home page at [att.com](http://att.com) for additional service options.
- If you do not receive acknowledgment of your privacy inquiry or your inquiry is not addressed to your satisfaction, you may contact TRUSTe through the [TRUSTe Watchdog Dispute Resolution Process](#). TRUSTe will serve as a liaison to resolve your concerns.
- You also have the option of filing a complaint with the FTC Bureau of Consumer Protection, using an [online form](#), or by calling toll-free 877.FTC.HELP (877.328.4357; TTY: 866.653.4261). Other rights and remedies also may be available to you under federal or other applicable laws.



## **Customer Proprietary Network Information (CPNI)**

### **What is CPNI?**

Customer Proprietary Network Information (CPNI) is information that AT&T and other telecommunications carriers obtain when providing your telecommunications services to you. CPNI includes the types of telecommunications services you currently purchase, how you use them, and the billing information related to those services, including items such as the types of local, long distance and wireless telecommunications services that you have purchased and your calling details. Your telephone number, name and address are not considered CPNI.

### **Use and Disclosure of CPNI**

We use your CPNI to offer you additional services of the type you already purchase from AT&T. We also may use your CPNI to offer you products and services, packages, discounts and promotions from the AT&T companies, such as High Speed DSL Internet access, wireless service and U-verse TV services, which may be different from the types of services you already purchase.

AT&T uses technology and security features and strict policy guidelines to safeguard the privacy of CPNI and protect it from unauthorized access or improper use. AT&T does not disclose CPNI outside of the AT&T companies or their agents without customer consent except as required or allowed by law. When AT&T uses third parties to perform services on its behalf that require the use of CPNI, AT&T requires that they protect CPNI consistent with this privacy policy. *AT&T does not sell CPNI to unaffiliated third parties.*

### **Restricting our use of your CPNI**

If you wish to restrict our use of your CPNI for marketing purposes, you may contact a customer service representative at the customer service phone number located on your AT&T telephone bill or one of the following numbers:

Wireless - 1-800-331-0500

Business - 1-888-944-0447

Residential - 1-800-288-2020

Spanish Language - 1-800-870-5855

For assistance in other languages, please visit [world.att.com](http://world.att.com).

Legacy AT&T Consumer - 1-800-222-0300

Restricting our use of your CPNI for marketing purposes will not affect the provision of any AT&T products or services to which you subscribe, nor will it eliminate all types of AT&T marketing contacts.

**Customer Service Contact Numbers**

**Wireless** — 1-800-331-0500

**Business** — 1-888-944-0447

**Residential** — 1-800-288-2020

**Spanish Language** — 1-800-870-5855

For assistance in other languages, please visit [world.att.com](http://world.att.com).

**Legacy AT&T Consumer** — 1-800-222-0300

**Customers of the following AT&T family of companies may contact us directly using the following:**

**AT&T Internet Services** — Customers can manage newsletter subscriptions or other e-mail communications from Yahoo! by modifying their [AT&T Yahoo! Marketing Preferences](#).

## EXHIBIT B

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: APPLICATION FOR TELEPHONE ) No. CR 15-90304 MISC LHK  
INFORMATION NEEDED FOR A )  
CRIMINAL INVESTIGATION ) DECLARATION OF ASSISTANT UNITED  
STATES ATTORNEY JEFF SCHENK

UNDER SEAL

I, Jeff Schenk, an Assistant United States Attorney ("AUSA") for the United States Attorney's Office, Northern District of California, hereby depose, declare, and state the following:

1. I am an AUSA assigned to the investigation of the above-captioned matter. In preparing this appeal and response to the Court's request for supplemental filings, I have spoken with several Federal Bureau of Investigation ("FBI") Special Agents assigned to the Cellular Analysis Survey Team ("CAST"). During those conversations, I have learned the following:

a. Whether the government needs to seek a new application for cellular site location information ("CSLI") should a Target Device from an original application be transferred to a new carrier

DECLARATION OF AUSA SCHENK  
NO. CR 15-90304 MISC LHK

1 pursuant to local number portability depends on the specific language in the application and order.  
2 Having reviewed the application and order the government submitted to Magistrate Judge Lloyd in this  
3 case, I now believe that, pursuant to the Order at pages 4-5, the government need not seek a new  
4 application for CSLI should a Target Device from the original application be transferred to a new carrier  
5 pursuant to local number portability. Furthermore, my belief is that, in general, applications submitted  
6 in this District allow the government to obtain responsive information following a Target Device's port  
7 to a new carrier, without the need to file a new application.

8           b.       Having spoken to several CAST agents, I believe that, in general, an application  
9 for a user's historical CSLI made to a specific provider does not result in the government obtaining  
10 CSLI collected by a provider other than the one to whom the specific request has been made. There are  
11 exceptions to this statement, including such as when one provider acquires another provider.

12           2.       I declare under penalty of perjury that the foregoing is true and correct to the best of my  
13 knowledge and belief. Executed this 29th day of June, 2015 in San Jose, California.

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JEFF SCHENK  
Assistant United States Attorney